

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

E.DIGITAL CORPORATION,  
Plaintiff,

VS.

CAVALRY STORAGE, INC.,  
Defendant.

### Defendant

## E.DIGITAL CORPORATION.

VS

CENTON ELECTRONICS, INC.

Defendant.

**Defendant.**  
**E. DIGITAL CORPORATION.**

VS

Plaintiff

Case Nos.  
13-cv-2892-H-BGS  
13-cv-2894-H-BGS  
13-cv-2896-H-BGS  
13-cv-2897-H-BGS  
13-cv-2899-H-BGS  
13-cv-2901-H-BGS  
13-cv-2914-H-BGS  
13-cv-2915-H-BGS  
13-cv-2916-H-BGS  
13-cv-2935-H-BGS  
13-cv-2937-H-BGS  
13-cv-2938-H-BGS  
13-cv-2946-H-BGS

## Order:

- 1) CONSOLIDATING CASES FOR PRETRIAL PURPOSES, and**
- 2) SETTING A CASE MANAGEMENT CONFERENCE.**

1 CORSAIR MEMORY, INC.,

2 Defendant.

3 E.DIGITAL CORPORATION,

4 Plaintiff,

5 vs.

6 NEW DANE, d/b/a DANE-ELEC;  
7 GIGASTONE CORPORATION; and  
8 DANE ELEC CORP. USA, a/k/a  
9 DANE CORP.;

10 Defendants.

11 E.DIGITAL CORPORATION,

12 Plaintiff,

13 vs.

14 EYE-FI, INC.,

15 Defendant.

16 E.DIGITAL CORPORATION,

17 Plaintiff,

18 vs.

19 FUSION-IO, INC.,

20 Defendant.

21 E.DIGITAL CORPORATION,

22 Plaintiff,

23 vs.

24 MUSHKIN, INC.,

25 Defendant.

26 E.DIGITAL CORPORATION,

27 Plaintiff,

28 vs.

29 OTHER WORLD COMPUTING,  
30 INC.,

31 Defendant.

32 E.DIGITAL CORPORATION,

33 Plaintiff,

34 vs.

1 PATRIOT MEMORY, LLC,

2 Defendant.

3 E.DIGITAL CORPORATION,

4 Plaintiff,

5 vs.

6 SILICON POWER COMPUTER &  
7 COMMUNICATIONS INC.; and  
8 SILICON POWER COMPUTER &  
9 COMMUNICATIONS USA, INC.;

10 Defendants.

11 E.DIGITAL CORPORATION,

12 Plaintiff,

13 vs.

14 SUPER TALENT TECHNOLOGY  
15 CORPORATION,

16 Defendant.

17 E.DIGITAL CORPORATION,

18 Plaintiff,

19 vs.

20 SWISSBIT AG; and SWISSBIT NA,  
21 INC.,

22 Defendants.

23 E.DIGITAL CORPORATION,

24 Plaintiff,

25 vs.

26 SEAGATE TECHNOLOGY LLC.,

27 Defendant.

28 On December 5, 2013, Plaintiff e.Digital Corporation filed a complaint against Defendant Cavalry Storage, Inc. alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v. Cavalry Storage, Case No. 3:13-cv-2892-H, Doc. No. 1.) Defendant Cavalry Storage filed its answer on April 1, 2014. (Id. Doc. No. 15.)

On December 5, 2013, Plaintiff filed a complaint against Defendant Centon Electronics, Inc. alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v.

1    Centon Electronics, Case No. 3:13-cv-2894-H, Doc. No. 1.) Defendant Centon  
 2    Electronics, Inc filed its answer on March 20, 2014. (Id. Doc. No. 13.)

3            On December 5, 2013, Plaintiff filed a complaint against Defendant Corsair  
 4    Memory, Inc. alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v.  
 5    Corsair Memory, Case No. 3:13-cv-2896-H, Doc. No. 1.) Defendant Corsair Memory  
 6    filed its answer on April 7, 2014. (Id. Doc. No. 15.)

7            On December 5, 2013, Plaintiff filed a complaint against Defendants New Dane,  
 8    d/b/a Dane-Elec., Gigastone Corporation, and Dane Elec Corp. USA, a/k/a Dane Corp,  
 9    alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v. New Dane, Case  
 10   No. 3:13-cv-2897-H, Doc. No. 1.) Defendants Dane Elec Corp. USA and Gigastone  
 11   Corporation filed answers on April 7, 2014. (Id. Doc. No. 15.) To date, Plaintiff has  
 12   not returned an executed summons of Defendant New Dane. (See id.)

13           On December 5, 2013, Plaintiff filed a complaint against Defendant Eye-Fi, Inc.  
 14   alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v. Eye-Fi, Case No.  
 15   3:13-cv-2899-H, Doc. No. 1.) Defendant Eye-Fi filed its answer on April 11, 2014.  
 16   (Id. Doc. No. 14.)

17           On December 5, 2013, Plaintiff filed a complaint against Defendant Fusion-IO,  
 18   Inc. alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v. Fusion-IO,  
 19   Case No. 3:13-cv-2901-H, Doc. No. 1.) Defendant Fusion-IO filed its answer on  
 20   March 17, 2014. (Id. Doc. No. 15.)

21           On December 5, 2013, Plaintiff filed a complaint against Defendant Mushkin,  
 22   Inc. alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v. Mushkin,  
 23   Case No. 3:13-cv-2914-H, Doc. No. 1.) Defendant Mushkin filed its answer on March  
 24   21, 2014. (Id. Doc. No. 14.)

25           On December 5, 2013, Plaintiff filed a complaint against Defendant Other World  
 26   Computing, Inc. alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v.  
 27   Other World Computing, Case No. 3:13-cv-2915-H, Doc. No. 1.) Defendant Other  
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1 World Computing filed its answer on March 21, 2014. (Id. Doc. No. 13.)

2 On December 6, 2013, Plaintiff filed a complaint against Defendant Patriot  
 3 Memory, LLC alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital v.  
 4 Patriot Memory, Case No. 3:13-cv-2916-H, Doc. No. 1.) Defendant Patriot Memory  
 5 filed its answer on March 20, 2014. (Id. Doc. No. 13.)

6 On December 6, 2013, Plaintiff filed a complaint against Defendants Silicon  
 7 Power Computer & Communications Inc. and Silicon Power Computer &  
 8 Communications USA, Inc. alleging infringement of U.S. Patent No. 5,839,108. (See  
 9 e.Digital v. Silicon Power, Case No. 3:13-cv-2935-H, Doc. No. 1.) Defendants Silicon  
 10 Power Computer & Communications Inc. and Silicon Power Computer &  
 11 Communications USA, Inc. filed their answer on April 8, 2014. (Id. Doc. No. 12.)

12 On December 6, 2013, Plaintiff filed a complaint against Defendant Super Talent  
 13 Technology Corporation alleging infringement of U.S. Patent No. 5,839,108. (See  
 14 e.Digital v. Super Talent, Case No. 3:13-cv-2937-H, Doc. No. 1.) Defendant Super  
 15 Talent filed its answer on March 7, 2014. (Id. Doc. No. 11.)

16 On December 6, 2013, Plaintiff filed a complaint against Defendants Swissbit  
 17 AG and Swissbit NA, Inc., alleging infringement of U.S. Patent No. 5,839,108. (See  
 18 e.Digital v. Swissbit, Case No. 3:13-cv-2938-H, Doc. No. 1.) Defendant Swissbit NA,  
 19 Inc. filed its answer on April 10, 2014. (Id. Doc. No. 11.) To date, Plaintiff has not  
 20 returned an executed summons of Defendant Swissbit AG. (See id.)

21 On December 6, 2013, Plaintiff filed a complaint against Defendant Seagate  
 22 Technology LLC, alleging infringement of U.S. Patent No. 5,839,108. (See e.Digital  
 23 v. Seagate, Case No. 3:13-cv-2946-H, Doc. No. 1.) Defendant Seagate filed its answer  
 24 on March 20, 2014. (Id. Doc. No. 16.)

25 All thirteen of these cases concern the same patent. Pursuant to Federal Rule of  
 26 Civil Procedure 42, the Court orders that these actions be consolidated for pre-trial  
 27 purposes absent further order of the Court. Fed. R. Civ. P. 42(a)(2).

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1       The Court also tentatively schedules a telephonic case management conference  
2 in this consolidated action for **Friday, April 25, 2014** at **1:30 p.m** before Judge  
3 Marilyn L. Huff. The Court will issue a tentative scheduling order in advance of this  
4 tentative hearing date. The parties must meet and confer regarding the tentative  
5 schedule no later than **Tuesday, April 22, 2014**. The Plaintiff is responsible for  
6 initiating the conference call. If a party objects to any dates or deadlines in the Court's  
7 tentative schedule as an irreconcilable conflict, the party must submit written  
8 objections to the Court no later than **April 23, 2014**. If a Defendant has no objections  
9 to the Court's tentative schedule, that party need not appear at the Court's case  
10 management conference or submit anything. If Plaintiff has no objections and elects  
11 not to participate in the Court's case management conference, it must notify the Court  
12 in writing no later than **April 23, 2014**.

13       The Court directs Plaintiff to initiate the telephonic case management conference  
14 call. The Court further directs any parties appearing at the telephonic case management  
15 conference to provide their phone numbers to Plaintiff prior to the conference.

16       **IT IS SO ORDERED.**

17 DATED: April 15, 2014



MARILYN L. HUFF, District Judge  
UNITED STATES DISTRICT COURT

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